

Notice of Allowability

Application No.

09/215,194

Examiner

Tanh Q. Nguyen

Applicant(s)

IKEGAMI ET AL.

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 08/27/04 and amendment filed 07/27/04.
2. ☒ The allowed claim(s) is/are 39-50,52 and 53.
3. ☒ The drawings filed on 18 December 1998 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEFFREY GAFFIN
SUPERVISOR
PATENT EXAMINER
TECHNICAL CENTER 2100

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 27, 2004 has been entered.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

the prior art, individually or in combination, does not teach "after a power supply is turned on, determining whether rewriting of the control codes has suspended or failed, wherein if the rewriting of the control codes has suspended or failed, the rewrite execution codes are received from the external apparatus in accordance with the transfer control codes, the new control codes are received from the external apparatus and the control codes are rewritten with the new control codes in accordance with the rewrite execution codes";

the prior art, individually or in combination, does not teach "after a power supply is turned on, said processor-determines whether rewriting of the control codes has suspended or failed, and if the rewriting of the control codes has suspended or failed, said processor controls transfer of the rewrite execution codes, which are adapted to

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execute rewriting of the control codes from an external apparatus, said processor controls transfer of new control codes from the external apparatus, and said processor controls the rewriting of the control codes, which have been stored in said code memory, with the new control codes transferred from the external apparatus, in accordance with the rewrite execution codes transferred from the external apparatus"; and

the prior art, individually or in combination, does not teach "after a power supply is turned on, said processor determines whether rewriting of the control codes has suspended or failed, and if the rewriting of the control codes has suspended or failed, controlling the rewriting of the control codes, which have been stored in the code memory, with the new control codes transferred from the external apparatus, in accordance with the rewrite execution codes transferred from the external apparatus".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Quang Nguyen whose telephone number is (703) 305-0138, (or (571) 272-4154 after October 12, 2004) and whose e-mail address is tanh.nguyen36@uspto.gov. The examiner can normally be reached on Monday-Friday

from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached on (703) 308-3301 (or (571) 272-2100 after October 12, 2004). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for After Final, Official, and Customer Services, or (703) 746-5672 (or (571) 273-4154 after October 12, 2004) for Draft to the Examiner (please label "PROPOSED" or "DRAFT").

Effective May 1, 2003 are new mailing address is:

Mail Stop _____

Commissioner for Patents

P.O. Box 1450

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Effective December 1, 2003, hand-carried patent application related incoming correspondences will be to a centralized location.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

TQN
September 28, 2004

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